

86th Legislative Session – 2011

Committee: Senate Health and Human Services

Monday, February 07, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Hunhoff (Jean), Chair
P Holien
P Bradford
P Kraus, Vice-Chair
P Krebs
P Rave
P Schlekeway

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Jean Hunhoff, Chair.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 2, 2011.

Moved by: Kraus
Second by: Schlekeway
Action: Prevailed by voice vote.

Confirmation of Kimberley Malsam-Rysdon to the position of Secretary of the Department of Social Services.

Deb Bowman, Office of the Governor - Addressed the committee.
Kimberley Malsam-Rysdon - Addressed the committee.

MOTION: CONFIRM APPOINTMENT OF KIMBERLEY MALSAM-RYSDON OF HUGHES COUNTY, PIERRE, SOUTH DAKOTA, TO THE POSITION OF SECRETARY OF THE DEPARTMENT OF SOCIAL SERVICES.

Moved by: Kraus
Second by: Rave

Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Hunhoff (Jean), Holien, Bradford, Kraus, Krebs, Rave, Schlekeway

THE CHAIR DEFERRED SB 171 UNTIL WEDNESDAY, FEBRUARY 9, 2011.

SB 151: revise the grandfathering provisions of massage therapy licensure.

Presented by: Senator Stanford Adelstein

Opponents: Valerie Rowen, American Massage Therapy Association SD Chapter (Handout: 1)

THE CHAIR DEFERRED SB 151 UNTIL WEDNESDAY, FEBRUARY 9, 2011.

MOTION: ADJOURN

Moved by: Rave

Second by: Bradford

Action: Prevailed by voice vote.

Cindy Louder
Committee Secretary

Jean M. Hunhoff, Chair

Committee Agenda

Committee: Senate Local Government
Room: 412
Date: Monday, February 7, 2011
Time: 7:45 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[SB 84](#) **revise certain provisions regarding administrative penalties when filing campaign finance disclosure statements and to create the election education and compliance fund.**

Senators Peters, Begalka, Kraus, Maher, Rhoden, and Tieszen and Representatives Cronin, Hoffman, Miller, Moser, Nelson (Stace), Olson (Betty), Russell, and Verchio

[SB 109](#) **authorize the secretary of state to promulgate rules concerning lobbyist registration fees and to impose a penalty for the failure to timely file lobbyist or lobbyist employer reports.**

Senators Lederman, Begalka, Kraus, Krebs, Maher, Rhoden, Schlekeway, and Tieszen and Representatives Hoffman, Bolin, Miller, Moser, Nelson (Stace), Olson (Betty), Russell, and Verchio

[SB 130](#) **provide a procedure for the Secretary of State to conduct certain local elections when an emergency exists.**

Senators Schlekeway and Lederman and Representatives Kirkeby, Gosch, and Hansen (Jon)

[SB 113](#) **revise certain provisions regarding the notice requirements for changes in zoning requested by landowners.**

Senators Hunhoff (Jean), Begalka, Frerichs, Gray, Schlekeway, and Tieszen and Representatives Hunhoff (Bernie), Fargen, Moser, Novstrup (David), Rausch, and Street

[SB 68](#) **authorize investment of certain public funds in bonds issued by political subdivisions or agencies of the state.**

Senators Gray, Holien, Lederman, and Tieszen and Representatives Turbiville and Perry

[SB 95](#) **provide for the printing of voting rights notices.**

Senators Maher and Lederman and Representatives Tulson, Haggar, Hansen (Jon), Jensen, Kirkeby, Russell, and Tornow

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

TODD SCHLEKEWAY, Chair

Committee Agenda

AMENDED

Committee: Senate State Affairs
Room: 414
Date: Monday, February 7, 2011
Time: 10:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[SB 160](#) **repeal exemptions from sales and use taxes for certain security and commodity brokers.**

Senators Nygaard, Begalka, Haverly, Kraus, and Maher and Representatives Sly, Boomgarden, Fargen, and Kirkeby

[SB 166](#) **repeal certain sales tax exemptions relating to agricultural machinery parts, repairs, and maintenance.**

Senators Nygaard, Adelstein, and Lederman and Representatives Sly, Killer, and Kirkeby

[SB 174](#) **temporarily increase the state sales and use tax to fund the state budget shortfall and to declare an emergency.**

Senators Adelstein, Begalka, Bradford, Nelson (Tom), and Tieszen and Representatives Perry, Magstadt, Street, and Turbiville

[SB 79](#) **provide for the application of LEAN techniques to certain state government processes and to provide for prioritization and oversight of the lean government program.**

Senators Johnston, Heineman, Krebs, and Peters and Representatives Munsterman, Nelson (Stace), and Perry

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

LARRY RHODEN, Chair

86th Legislative Session – 2011

Committee: Senate Taxation

Monday, February 07, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Fryslie
P Hundstad
P Maher
P Nelson (Tom)
P Nygaard
P Lederman, Vice-Chair
P Hansen (Tom), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by chair, Senator Tom Hansen.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 2, 2011

Moved by: Lederman
Second by: Fryslie
Action: Prevailed by voice vote.

SB 146: require certain notice requirements for retailers that do not have nexus in South Dakota which are selling tangible personal property, services, or products transferred electronically for use in South Dakota.

Presented by: Senator Deb Peters
Proponents: Shawn Lyons, SD Retailers Association
Scott Peterson, Streamline Sales Tax
Jane Page, Department of Revenue
Opponents: Dennis Duncan, Direct Marketing Association (Handout: #1)
Jerry Cerasale, Direct Marketing Association

MOTION: DO PASS SB 146

Moved by: Fryslie
Second by: Lederman
Action: Prevailed by roll call vote. (6-1-0-0)

Voting Yes: Fryslie, Maher, Nelson (Tom), Nygaard, Lederman, Hansen (Tom)

Voting No: Hundstad

SB 147: expand the application of nexus for the purpose of collecting sales and use taxes owed to the state.

Presented by: Senator Deb Peters
Proponents: Shawn Lyons, SD Retailers Association
Scott Peterson, Streamline Sales Tax
Jane Page, Department of Revenue
David Owen, SD Chamber of Commerce & Industry
Opponents: Jerry Cerasale, Direct Marketing Association

MOTION: DO PASS SB 147

Moved by: Nygaard
Second by: Lederman
Action: Prevailed by roll call vote. (6-1-0-0)

Voting Yes: Fryslie, Maher, Nelson (Tom), Nygaard, Lederman, Hansen (Tom)

Voting No: Hundstad

HB 1029: revise certain provisions concerning the taxation of telecommunications companies.

Presented by: Michael Kenyon, Department of Revenue
Proponents: Greg Dean, SD Telecommunications Association(Handout: #2)
Dan Nelson, Midcontinent Communications

MOTION: AMEND HB 1029

1029fb

On page 2 of the printed bill, delete lines 1 to 5, inclusive, and insert:

" Section 2. That § 10-33-3 be repealed.

~~—10-33-3. Each company as herein defined, shall keep on file with the county auditor of each county through or into which its line or lines run, a map or blueprints showing correctly the location of its line or lines in such county and in each government subdivision thereof."~~

Moved by: Nelson (Tom)
Second by: Maher
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1029 AS AMENDED

Moved by: Maher
Second by: Nygaard
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Fryslie, Hundstad, Maher, Nelson (Tom), Nygaard, Lederman, Hansen (Tom)

MOTION: ADJOURN

Moved by: Nygaard
Second by: Lederman
Action: Prevailed by voice vote.

Lois Henry
Committee Secretary

Tom Hansen, Chair

Committee Agenda

Committee: Senate Transportation
Room: 423
Date: Monday, February 7, 2011
Time: 8:00 AM

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Governor's Reappointment:

Darin Bergquist, Hughes County, Pierre, South Dakota, to the position of Secretary of the Department of Transportation

HB 1026 repeal fleet licensing procedures for certain vehicles.

The Committee on Transportation at the request of the Department of Revenue and Regulation

HB 1027 revise the definition of a trailer for the purpose of titling a restored or rebuilt trailer.

The Committee on Transportation at the request of the Department of Revenue and Regulation

HB 1060 revise certain provisions concerning how motor vehicle license fees are distributed in the unorganized territories of a county.

Representatives Venner, Cronin, Feickert, Kirkeby, and Street and Senators Hunhoff (Jean), Bradford, Fryslie, Lederman, and Maher

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

MIKE VEHLE, Chair